



PUBLIC NOTICE

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PUBLIC SAFETY AND HOMELAND SECURITY BUREAU APPROVES REGION 5 (SOUTHERN CALIFORNIA) 700 MHZ REGIONAL PLAN AMENDMENT

WT Docket No. 02-378

Introduction. On February 18, 2014, the Region 5 (Southern California)¹ 700 MHz Regional Planning Committee (RPC) submitted a proposed modification (Plan Amendment) to amend its 700 MHz Public Safety Plan² for General Use spectrum in the 769-775/799-805 MHz band.³ For the reasons discussed below, we approve the Region 5 700 MHz Plan Amendment.

Background. In 1998, the Commission established a structure to allow regional planning committees (RPCs) optimal flexibility to meet state and local needs, encourage innovative use of the spectrum, and accommodate new and as yet unanticipated developments in technology and equipment.⁴ The Commission's rules require each of the fifty-five RPCs to submit its plan for the General Use spectrum.⁵ The Commission's role in relation to the RPCs is limited to (1) defining the regional boundaries; (2) requiring fair and open procedures, *i.e.*, requiring notice, opportunity for comment, and reasonable consideration; (3) specifying the elements that all regional plans must include; and (4) reviewing and accepting proposed plans (or amendments to approved plans) or rejecting them with an explanation.⁶

¹ The Region 5 (Southern California) 700 MHz regional planning area consists of ten counties: Imperial, Los Angeles, Orange, Riverside, Santa Barbara, San Bernadino, San Diego, Kern, San Louis Obispo and Ventura.

² See Letter from David Buchanan, Chair, Region 5 700 MHz Regional Planning Committee, to Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, WT Docket No. 02-378 (filed Feb. 18, 2014) (Plan Amendment).

³ The General Use spectrum is administered by regional planning committees (RPCs) and is licensed for public safety services on a site-by-site basis in accordance with the relevant Commission-approved regional plan and frequency coordination.

⁴ See 47 C.F.R. § 90.527; see also Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Agency Communication Requirements Through the Year 2010, WT Docket No. 96-86, *First Report and Order and Third Notice of Proposed Rulemaking*, 14 FCC Rcd 152 (1998) (*First Report and Order*); Development of Operational, Technical and Spectrum Requirements For Meeting Federal, State and Local Public Safety Agency Communication Requirements Through the Year 2010, WT Docket No. 96-86, *Second Memorandum Opinion and Order*, 15 FCC Rcd 16844 (2000).

⁵ See 47 C.F.R. § 90.527. Each RPC must incorporate certain common elements into its 700 MHz plan. A list of 700 MHz RPCs and region activities is available at <http://www.fcc.gov/pshs/public-safety-spectrum/700-MHz/>.

⁶ *First Report and Order*, 14 FCC Rcd at 195 ¶ 87.

On March 29, 2013, the Commission modified the process for staff review of minor amendments to 700 MHz regional plans.⁷ The Commission stated that “[a]mendments will be considered minor if [...] the amendment only involves changes to the channel allotments and (a) the proposed channel change or channel addition involves a facility that is located more than seventy miles from the adjacent region border, (b) the co-channel or adjacent channel interference contour of the facility changing or adding the channel does not intersect the border of an adjacent region, or (c) the proposed channel change or channel addition has been coordinated in writing with any affected adjacent region.”⁸ For minor amendments, the Commission stated that Bureau staff will no longer place minor amendments to Regional Plans on public notice for comment, but staff will acknowledge receipt of the amendment by email.⁹ The Region 5 Plan amendment is a minor amendment which revises the frequency allocation table to assign channels 453-456, 493-496, and 533-536, to the County of San Bernadino for tactical, non-permanent station use. All three regions adjacent to Region 5 – Region 3 (Arizona), Region 6 (Northern California), and Region 27 (Nevada) – reviewed the Plan Amendment and provided letters of concurrence.

We have reviewed the Region 5 Plan Amendment, and conclude, based on the information before us that it complies with Commission rules and policies. Accordingly, pursuant to Section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and Section 1.102(b) of the Commission’s rules, 47 C.F.R. § 1.102(b), the Region 5 (Southern California) 700 MHz Public Safety, we APPROVE the Plan Amendment.

We take this action under delegated authority pursuant to Sections 0.191 and 0.392 of the Commission’s rules, 47 C.F.R. §§ 0.191, 0.392.

Action by the Chief, Policy and Licensing Division, Public Safety and Homeland Security Bureau.

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⁷ See Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Agency Communication Requirements Through the Year 2010, Proposed Amendments to the Service Rules Governing Public Safety Narrowband Operations in the 769-775/799-805 MHz Bands, WT Docket No. 96-86, PS Docket 13-87, *Seventh Report and Order, Notice of Proposed Rulemaking*, 28 FCC Rcd 4783 (2013).

⁸ *Id.* at 4804 ¶ 65.

⁹ *Id.*